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DOD & NRO REVIEWS COMPLETED

16 January 1968

MEMORANDUM FOR THE RECORD

SUBJECT: Conversations with Mr. Nitze and Dr. Flax Concerning the Future of the OXCART

1. The Director called me late in the afternoon of 15 January to advise me of a telephone conversation he had just had with Mr. Nitze. Mr. Nitze had been very critical of the Director's letter to the PFIAB concerning the future disposition of the OXCART. The Director had explained that the purpose of this letter was to solicit a review of a basic jurisdictional problem, namely the future role of CIA in manned reconnaissance, with which the PFIAB was already concerned.

2. At the Director's request, I called Mr. Nitze. During the course of a long conversation Mr. Nitze complained that the matter should not be referred to an outside advisory body before a decision by the competent authority of the Government, in this case the Executive Committee of the NRO. He was also critical of the fact that the letter had been sent to the PFIAB without consultation with him.

3. I explained that the issue involved a basic jurisdictional problem which would be difficult for the Executive Committee of the NRO to resolve. The immediate problem of whether and when the SR-71 should be deployed and replace the OXCART is one which is already in a fair way to resolution and has been efficiently handled by the NRO. I said that we had no intention of undercutting the NRO which we felt was an extremely important institution and one which it is in our interest to strengthen. As far as the allegation that we had acted without consultation with Mr. Nitze was concerned, I pointed out that we had immediately sent copies of our letter to him and Dr. Flax.

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4. I explained that it had been my honest judgement that both Mr. Nitze and the Director should welcome and would benefit from a review of the basic jurisdictional issue by a competent and impartial outside body. I pointed out that the Director is under intolerable and irreconcilable pressures from conflicting groups. One group which reflects, among other things, an influential segment of the scientific community

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OSD review(s) completed.

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feels that it is extremely important for CIA to continue actively to participate in manned aircraft reconnaissance. As opposed to this group, there is of course a strong sector of opinion which includes the Air Force, probably the Bureau of the Budget and other elements of the Government, which feels that it is unnecessary, improvident and unwide for CIA to remain in the business of flying and maintaining aircraft. I said that the Director's principal concern was to maintain his status as an impartial advisor to the Government on substantive intelligence matters. He did not want to impair this position. I also said it seemed to me essential that the various tangible and intangible factors involved in a decision to take CIA out of air operations should be thoroughly and impartially assessed. I said that I thought that it might be rather difficult for the Executive Committee of the NRO to do this in view of a built-in bias or appearance of bias of a decision made under the auspices of the Defense Department. On the other hand, I said that if Mr. Nitze felt that an attempt could and should be made to resolve the issue within the Executive Committee, that I thought Mr. Helms would certainly go along.

5. I also said that I did not anticipate any difficulty in persuading the PFIAB to postpone any further action on the Director's letter pending action by the Executive Committee.

6. At the end of our discussion Mr. Nitze said that he understood the problem better and that he would discuss it with Dr. Flax. In the meantime, he suggested that I take no further action.

7. This morning, at the Director's request, I called Dr. Flax and talked the problem over with him. He had not apparently had the reaction to the Director's letter which Mr. Nitze had. He had talked to Mr. Nitze during the course of the morning and said that Mr. Nitze had stressed what he considered the impropriety of referring an issue of this character to an outside board before action by the responsible Government component. Dr. Flax said that he was inclined to agree with this although the idea had not occurred to him when he had first read the Director's letter to the PFIAB.

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8. Dr. Flax went on to say that he recognized that there are in fact two related but different problems. One is the problem of determining the timing of the replacement of the OXCART with the SR-71. This is a

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technical problem which in effect boils down to establishing the performance of the SR-71 and whether it meets the specifications -- e.g., whether it constitutes an adequate replacement for the OXCART. Dr. Flax said that he thought it was his responsibility to formulate recommendations for the Executive Committee on this issue, which he would do fairly soon. He was confident that the SR-71 would meet the specifications but felt that an overlap between the SR-71 and the OXCART should be allowed to establish the actual performance of the SR-71 in an operational environment.

9. The second related but different issue is what happens to the OXCART and the Agency franchise to fly manned reconnaissance aircraft after the return of OXCART vehicles to the U.S. Dr. Flax said that he had tried to get Mr. Nitze to raise this latter issue in the Executive Committee but that Mr. Nitze had refused to do this on the grounds that the technical issues involved in a decision to deploy the SR-71 should be decided first and should not be cluttered up with discussions about the factors involved in a long-term decision as to whether or not to keep the OXCART and the Agency franchise in being. Dr. Flax thought that this issue should now be raised again and felt that at some point the various factors involved in a decision to liquidate the Agency's activities in the manned aircraft reconnaissance field should be discussed by Mr. Nitze, Dr. Hornig and the DCI in an executive session.

10. It was finally agreed that we would prepare a statement of this basic jurisdictional issue which would be coordinated with Dr. Flax and informally discussed by the Director with Mr. Nitze before tabling with the Executive Committee of the NRO. In the meantime, I agreed to call Mr. Coyne and tell him orally of these developments, suggesting that the PFIAB may wish to defer further action on the Director's letter pending the outcome of developments in the Executive Committee of the NRO. (This has been done.) Assuming agreement on the definition of the problem for review in the Executive Committee of the NRO, Dr. Flax and I agreed that a further letter could go from the DCI to Mr. Clifford advising him formally of the fact that a review of the issue would take place in the Executive Committee. Dr. Flax said that he thought a simple letter to this effect would be enough. He realizes the continuing interest of the PFIAB in this subject and feels that they will ultimately wish to take some position on the matter.

11. Mr. Duckett is drafting a statement of the problem for review by the Director and discussion with Dr. Flax. He will also advise [redacted]

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[redacted] of this development.

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JOHN A. BROSS
D/DCI/NIPE

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